

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

DONALD R. LOVELL,)	
)	
Plaintiff,)	Case No. 3:12-cv-254
)	
v.)	Judge Sharp
)	Magistrate Judge Bryant
CHAMPION CAR WASH, LLC, and)	
TIM JONES, individually,)	Jury Demand
)	
Defendants.)	

MOTION FOR SUMMARY JUDGMENT

Plaintiff Donald R. Lovell moves the Court for an order granting him summary judgment against Defendant Champion Car Wash, LLC, on his disability discrimination claims under the Americans with Disabilities Act of 1990, as amended by the ADA Amendments Act of 2008, 42 U.S.C. § 12101 *et seq.* (ADA). Defendant discharged Mr. Lovell on the basis of an actual or perceived impairment in violation of the ADA. Further, it failed to conduct the ADA-mandated individualized inquiry into his actual medical condition before discharging him, in violation of the ADA. There are no genuine issues of material fact with respect to these claims and Mr. Lovell is entitled to judgment as a matter of law on them.

In support of this motion Mr. Lovell files a memorandum, a statement of undisputed material facts, and a notice of filing with attached evidentiary material.

Accordingly, Mr. Lovell requests that the Court grant this motion, enter summary judgment in his favor, and order that this case proceed to a hearing or trial on damages.

Respectfully submitted,

s/Douglas B. Janney III
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Attorney for Plaintiff

CERTIFICATE OF SERVICE

I certify that I electronically filed and served this Motion for Summary Judgment using the Court's CM/ECF system upon Richard J. Braun, Braun & Associates, PLLC, 501 Union Street, Suite 500, Nashville, Tennessee 37219 on February 18, 2013.

s/Douglas B. Janney III
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